

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIM. NO. 93-cr-50071

HON. PAUL D. BORMAN

v.

TERRANCE MURPHY,

Defendant.

**ORDER DENYING MOTION FOR MANDATORY EXPUNGEMENT OF
NONVIOLENT CRIMINAL OFFENSE**

Defendant Murphy, after challenging “this Court’s Jurisdiction as being a man...respectfully move to expunge the police and court records relating to the charge Illegal Firearms Conspiracy, 18 USC 371, as pronounced more than 18 years ago on April 11, 1994 Judge Stawart (sic) A. Newblatt...*Ignorantia juris, quod quisque tenetur scire, neminem excusat.*” Motion pp. 1-2.

This Court does not have jurisdiction to expunge Petitioner’s police and court records regarding his conviction under 18 U.S.C. §371 for Illegal Firearms Conspiracy. In *United States v. Lucido* 612 F3d 871 (6th Cir, 2010), the Sixth Circuit held that even when a Defendant was acquitted at trial, the district judge did not have

jurisdiction to consider the defendant's request for expungement of his arrest records. *Accord, United States v. Field*. 756 F3d 911, 914 (6th Cir 2014). In the instant case the Defendant pled guilty.

It is commendable that Petitioner's affidavit indicates that he "has remained free from dependency on or abuse of alcohol or a controlled substance since April 11, 1994," the day of his sentencing. Defendant can seek a pardon from the President of the United States.

Accordingly, Petitioner Murphy's motion is DENIED.

SO ORDERED.

s/Paul D. Borman
Paul D. Borman
United States District Judge

Dated: November 16, 2017

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 16, 2017.

s/Deborah Tofil
Case Manager